

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

January 12, 2006

In the Matter of
Westborough Treatment
Facility

Docket Nos. 2005-148; 2005-152
File Nos. MA0100412, WQC
Westborough

RECOMMENDED FINAL DECISION

By filing a Notice of Voluntary Dismissal on January 5, 2006, the petitioners, Organization for the Assabet River (“OAR”) and eleven citizens, withdrew their requests for adjudicatory hearings on the above referenced surface water discharge permit and water quality certification issued to the Westborough Treatment Facility. I recommend the request to withdraw be allowed and the appeals dismissed as moot, pursuant to 310 CMR 1.01(6)(e) and 310 CMR 1.01(5)(a)(15) f.ii.

NOTICE

This decision is a recommended final decision of the Presiding Officer. It has been transmitted to the Commissioner for his final decision in this matter. This decision is therefore not a final decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to Superior Court pursuant to M.G.L. c.30A. The Commissioner’s final decision is subject to rights and reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this recommended final decision or any portion of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in his sole discretion, directs otherwise.

**This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.**

Ann Lowery
Presiding Officer

Adopted by Commissioner Robert W. Golledge, Jr., January 25, 2006.